

IN THE MATTER OF : NEW JERSEY DEPARTMENT OF EDUCATION
THE CERTIFICATE OF : STATE BOARD OF EXAMINERS
DOREATHA HILLS : ORDER OF REVOCATION
_____ : DOCKET NO: 514-02/99-193

At its meeting of June 17, 1999, the State Board of Examiners reviewed a decision forwarded by the Commissioner of Education regarding Doreatha Hills. The case originated when the State-Operated School District of the City of Newark brought tenure charges against Hills alleging that she had engaged in six separate acts of corporal punishment or unbecoming conduct between March 27, 1992 and May 30, 1996. The case was settled prior to hearing in the Office of Administrative Law. In the settlement, Hills resigned her tenured position and agreed to relinquish her teaching certificate to the Commissioner of Education. Hills currently holds a Teacher of Elementary School certificate.

In a decision dated February 11, 1998, the Commissioner of Education approved the settlement and transmitted the matter to the State Board of Examiners pursuant to N.J.A.C. 6:11-3.6. Thereafter, on February 25, 1999, the State Board of Examiners issued an Order to Show Cause to Hills as to why her certificate should not be suspended or revoked. The Order was predicated on Hills' agreement to settle the tenure charges by voluntarily relinquishing her certificate.

The Order to Show Cause was mailed to Respondent by regular and certified mail on March 15, 1999. The Order provided that if respondent desired to file an Answer to the Order that Answer must be filed within 20 days. Hills did not respond to the Order to Show Cause. The certified mail was returned unclaimed and the regular mail was not returned. Thereafter, on May 7, 1999, the Board of Examiners advised Hills, by regular and certified mail, that she was being provided an additional ten days to respond to the Order to Show Cause. Once again, Hills did not respond. The certified mail receipt card was signed and returned. The regular mail copy was not returned.

The threshold issue before the State Board of Examiners in this matter, therefore, is to determine whether Hills' agreement to relinquish her certificate voluntarily as a means to settle her tenure case provides just cause for the Board of Examiners to take action against her certificate pursuant to N.J.A.C. 6:11-3(a)1. Since Hills did not respond to the Order to Show Cause, the Board of Examiners had no responsive pleading to consider in the hearing process. It is therefore ORDERED that the charges in the Order are deemed admitted for the purposes of this proceeding. N.J.A.C. 6:11-3(a)1. Since the charges in the Order to Show Cause incorporate Hills' desire to voluntarily relinquish her certificate and these are admitted, the Board of Examiners finds that it has just cause to act against Hills' certificate. N.J.A.C. 6:11-3(a)1.

The State Board of Examiners may revoke or suspend the certification of any certificate holder on the basis of demonstrated inefficiency, incapacity, conduct unbecoming a teacher or other just cause. N.J.A.C. 6:11-3.4. In this case, the certificate holder has agreed to the revocation of her certificate in order to settle a tenure case. While the law makes no provision for the voluntary surrender of a certificate, the Board of Examiners has just cause here where the certificate holder has agreed to a revocation and has been given the opportunity to respond to an Order to Show Cause.

Accordingly, it is therefore ORDERED that Doreatha Hills' Teacher of Elementary School certificate be revoked on this 17th day of June 1999. It is further ORDERED that Doreatha Hills return her certificate to the Secretary of the State Board of Examiners, Office of Licensing, P.O. Box 500, Trenton, NJ 08625-0500 within fifteen (15) days of receipt of this decision.

Secretary
State Board of Examiners

Date of Mailing: August 6, 1999

Appeals may be made to the State Board of Education pursuant to the provisions of N.J.S.A. 18A:6-28.

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